

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JOSE ANGUIANO,

Petitioner,

Case No. 3:19-cv-00332-JR

v.

JOSIAS SALAZAR,

Respondent.

OPINION AND ORDER

MOSMAN, J.,

On June 10, 2020, Magistrate Judge Jolie A. Russo issued her Findings and Recommendation (“F&R”) [ECF 23], recommending that I deny Petitioner Jose Anguiano’s Petition for Writ of Habeas Corpus [ECF 2] and enter a judgment of dismissal. No objections were filed.

LEGAL STANDARD

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge but retains responsibility for making the final determination. The court is generally required to make a de novo determination regarding those portions of the report or specified findings or recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *See*


Thomas v. Arn, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny under which I am required to review the F&R depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C).

CONCLUSION

Upon review of the F&R, I agree with Judge Russo's analysis and conclusions. Therefore, I ADOPT her F&R [23] in full. I DENY Petitioner's Petition for Writ of Habeas Corpus [2].

IT IS SO ORDERED.

DATED this 31st day of July, 2020.


MICHAEL W. MOSMAN
United States District Judge